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OFFICE OF PETITIONS

In re Application of	:	
Clark et al.	:	DECISION ON
Application No.: 09/560,381	:	
Filing Date: April 28, 2000	:	PETITION UNDER
Docket No.: 99CR074/KE	:	
For: Synchronization Technique For Spread	:	37 CFR 1.137(b)
Spectrum Frequency Hopped Data	:	
Links And Radios Using The Same	:	

This is a decision on Petition Under 37 CFR 1.137(b), filed on April 19, 2005.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to file a timely and proper reply to the requirement in the Notice of Allowability, mailed on June 1, 2004, for "Corrected Drawings including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached to Paper No. 3." The Notice of Allowability set a non-extendable three month time period for response. The application went abandoned at midnight on September 1, 2004 for failure to respond. A Notice of Abandonment was mailed on October 20, 2004.

Petitioner has met the requirements for revival under §1.137(b). Petitioner submitted the required reply in the form of corrected drawings. The \$1500.00 petition fee is itemized on the petition, and is being charged to counsel's Deposit Account No. 18-1722 per the general fee authorization appearing in the correspondence filed on April 30, 2004. Petitioner has also made the statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional." Since this utility application was filed after June 8, 1995, no terminal disclaimer is required. Accordingly, the petition is granted under §1.137(b).

This application is being referred to the Publishing Division.

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